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BARNES & THORNBURG

11 South Meridian Street DEC 0 2 2004 Indianapolis, Indiana 46204

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group:

3634

Confirmation No.:

6096

Application No.:

10/623,782

Invention:

LADDER WITH LEG BRACE

Applicant:

Paul K. Mecker

Filed:

July 21, 2003

Attorney

Dockes:

20341-72797

Examiner:

Alvin C. Chin-Shue

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facatmile transmitted to the United States Patent & Trademark Office, Fax Number (703) 872-9306,

on December 2 2004

V <u>loyce Hamilton</u> (Printed Name)

RESPONSE TO ELECTION OF SPECIES REQUIREMENT AND AMENDMENT

MAIL STOP AMENDMENT Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Please amend the above-identified application as follows: Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

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Remarks

In response to the November 30, 2004 election of species requirement, the species shown in Fig. 1 is elected for prosecution. Claims 1-5, 7-13, 15-18, 21, and 23-26 are readable on this elected species.

Claim 9 is canceled without prejudice or disclaimer of the subject matter recited therein. Claim 23 is amended to change "spreading means" to "leg spreader" without narrowing the scope of claim 23.

The Examiner is invited to telephone the undersigned to discuss any outstanding issues to expedite prosecution of this application for all concerned.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thomburg, Deposit Account No. 10-0435 with reference to file 20341-72797.

Respectfully submitted,

BARNES & THORNBURG

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